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BEFORE THE ARIZONA CORPORATION COMMISSION

2004 OCT 26 P 3:48

Arizona Corporation Commission

DOCKETED

OCT 26 2004

COMMISSIONERS:

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

CM

In the matter of:

VICTOR MONROE STOCKBRIDGE  
[CRD #1233627] and G. IRENE  
STOCKBRIDGE (husband and wife)

61 Rufous Lane  
Sedona, Arizona 86336-7177

Respondents.

DOCKET NO. S-03465A-02-0000

OBJECTION TO SUBPOENA TO  
VIRGINIA DUNCAN

Several days ago, this office was notified that the issue of the subpoena of Virginia Duncan's files had been raised in these administrative proceedings. This office represents the claimant, Susan N. Coleman, in proceedings seeking civil relief from Smith Financial Service, Inc., Laverne Smith, Victor Stockbridge and SunAmerica Securities, Inc. before the National Association of Securities Dealers. This firm also represents plaintiff, Susan N. Coleman, in proceedings before the Maricopa County Superior Court, seeking relief from The American Foundation for Charitable Support, Inc., Benson L. Schaub and Judy Schaub, Victor Stockbridge and Jane Doe Stockbridge, Laverne Smith and Jane Doe Smith, Smith Financial Services, Inc. and SunAmerica Securities, Inc. Attached is a copy of the Amended Complaint, which was filed in that proceeding.

Ms. Coleman is currently residing in a nursing home facility, and is not mentally competent. William Coleman has been appointed as her conservator.

1 On behalf of Ms. Coleman, William Coleman hereby objects to the wholesale  
2 production of Ms. Duncan's files, which obviously will contain materials protected by the  
3 attorney-client privilege.

4 Further, Jean Ruffin Lilly, the trustee of the Susan N. Coleman Revocable Trust,  
5 hereby objects on the same basis.

6 Ms. Coleman, as the client, is the holder of the attorney-client privilege. There will  
7 be materials in the files of Ms. Duncan, Ms. Coleman's lawyer, which are subject to the  
8 attorney-client privilege. However, there will clearly be materials in Ms. Duncan's files  
9 which are not subject to the attorney-client privilege or any other privilege.

10 We hereby ask that an order be entered granting this firm 45 days to review Ms.  
11 Duncan's files (which we understand are in multiple banker's boxes), to produce documents  
12 not covered by the privilege, or to simply redact privileged material, where possible, and to  
13 permit us to ascertain whether we are willing to simply waive the privilege with respect to  
14 some or all of the materials.

15 After the document production, if there are specific documents counsel for the  
16 Stockbridges still seeks, those specific documents can be taken up with the Arizona  
17 Corporation Commission.

18 Respectfully Submitted: October 26, 2004.

19 **SHOCKMAN LAW OFFICE, P.C.**

20  
21 By 

22 Rosemary J. Shockman  
23 8170 North 86th Place, Suite 102  
24 Scottsdale, Arizona 85258  
25 Attorneys for Susan N. Coleman  
26

Original and thirteen copies of the foregoing  
hand-delivered this 26<sup>th</sup> day of October,  
2004, to:

1 Docket Control  
Arizona Corporation Commission  
2 1200 West Washington Street  
Phoenix, Arizona 85007

3 Copy of the foregoing hand-delivered this  
4 26<sup>th</sup> day of October, 2004, to:

5 Marc E. Stern, Hearing Officer  
Hearing Division  
6 Arizona Corporation Commission  
1200 West Washington Street  
7 Phoenix, Arizona 85007

8 Matthew Neubert, Esq., Director of Securities  
Securities Division  
9 1300 West Washington Street, 3rd Floor  
Phoenix, Arizona 85007

10 Mark Dinell, Esq.  
Securities Division  
11 1300 West Washington Street, 3rd Floor  
12 Phoenix, Arizona 85007

13 Copy of the foregoing mailed this  
14 26<sup>th</sup> day of October, 2004, to:

15 Paul J. Roshka, Jr., Esq.  
Roshka Heyman & DeWulf, PLC  
400 East Van Buren, Suite 800  
16 Phoenix, Arizona 85004  
Attorneys for Stockbridge

17 Virginia I. Duncan, Esq.  
18 849 Cove Parkway, #B  
P. O. Box 3819  
19 Cottonwood, Arizona 86326

20 Debbie Rippe  
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